

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Junichi IDE et al.

Group Art Unit: 2627

Appln. No. : 10/518,388

Examiner: Allen T. CAO

Filed : December 30, 2004

Confirmation No. 8960

For : INTERMEDIATE FOR OPTICAL RECORDING MEDIUM AND METHOD
OF MANUFACTURING THE OPTICAL RECORDING MEDIUM

TERMINAL DISCLAIMER

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop _____
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

Your petitioner, TDK CORPORATION, a Japanese corporation, whose business address is 1-13-1, Nihonbashi, Chuo-Ku, Tokyo 103-8272, Japan, represents that it is the owner of record of the entire right, title and interest of the above-identified application by virtue of an assignment recorded in the U.S. Patent and Trademark Office on December 30, 2004 at Reel 017338, Frame 0564 of U.S. Application No. 10/518,388 for INTERMEDIATE FOR OPTICAL RECORDING MEDIUM AND METHOD OF MANUFACTURING THE OPTICAL RECORDING MEDIUM.

Your petitioner, TDK CORPORATION, also represents that an assignment was recorded in the U.S. Patent and Trademark Office on September 26, 2003 at Reel 014554, Frame 0291 of U.S. Application No. 10/670,375, now U.S. Patent No. 7,138,165 B2, for INTERMEDIATE FOR OPTICAL RECORDING MEDIUM, MOLD, MOLDING APPARATUS, AND METHOD OF MANUFACTURING THE OPTICAL RECORDING MEDIUM.

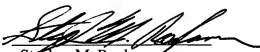
The undersigning representative is authorized to act on behalf of the assignee, and it is certified that to the best of the undersigned's knowledge and belief, title is in the assignee.

Your petitioner, TDK CORPORATION, hereby disclaims, except as provided below, the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of U.S. Patent No 7,138,165 B2, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 7,138,165 B2, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above identified application prior to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 as presently shortened by any terminal disclaimer of Patent No. 7,138,165 B2 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the failure of common ownership stated above.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,
TDK CORPORATION

By: 
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